



Entered on Docket  
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007  
Time: 9:30 a.m.

**Affecting:**

☐ All Cases

**or Only:**

- ☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**ORDER SUSTAINING ELEVENTH OMNIBUS OBJECTION OF THE USACM  
LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Eleventh Omnibus Objection to Claims Asserting Secured Status [DE 3153] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m.

Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust's Eleventh Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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**PREPARED AND SUBMITTED:**

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
  - ☐ approved the form of this order;
  - ☐ waived the right to review the order;
  - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
  - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**11th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Freda Newman Trust Dtd 7/26/84 Freda Newman Trustee C/O Daniel Newman 125 Elysian Dr Sedona, AZ 86336	10725-02031	1/11/2007	\$233,504.72	S, U
2	Freda Cohen Trust C/O Rosalind L Stark 10905 Clarion Ln Las Vegas, NV 89134	10725-01995	1/10/2007	\$50,716.38	S, U
3	Freedom Properties Inc 1820 Star Pine Ct Reno, NV 89523-4807	10725-00801	10/30/2006	\$450,000.00	S
4	Freedus, Michael 2535 Lake Rd Delanson, NY 12053	10725-02143	1/11/2007	\$355,812.10	S, U
5	Frieda Moon & Sharon C Van Ert Joint 2504 Callita Ct Las Vegas, NV 89102-2094	10725-00011	5/23/2006	\$51,033.34	S
6	Frieda Moon & Sharon C Van Ert Joint 2504 Callita Ct Las Vegas, NV 89102-2094	10725-00014	5/23/2006	\$51,076.38	S
7	Frieda Moon Fbo Sharon C. Van Ert 2504 Callita Ct Las Vegas, Nv 89102-2020	10725-00012	5/23/2006	\$35,583.34	S
8	Frieda Moon Fbo Sharon C. Van Ert 2504 Callita Ct Las Vegas, Nv 89102-2020	10725-00013	5/23/2006	\$17,538.18	S
9	Fuchs, Stephen J 117 29Th Ave N Saint Cloud, MN 56303-4253	10725-00740	10/26/2006	\$50,000.00	S
10	Fuller Ttee Of The Rgf Revocable Trust, Robert G 5172 English Daisy Way Las Vegas, NV 89142	10725-02097	1/11/2007	\$243,523.62	S, U
11	Fuller, David & Monica 955 Mullen Henderson, NV 89044	10725-01231	11/9/2006	\$215,404.36	S, P

12	G&L Nelson Limited Partnership Attn C Jaime Esq Po Box 30000 Maupin Cox Legoy Reno, NV 89520	10725-00284	10/3/2006	\$309,259.00	S
13	G&L Nelson Limited Partnership Attn C Jaime Esq Po Box 30000 Maupin Cox Legoy Reno, NV 89520	10725-00285	10/3/2006	\$514,624.00	S
14	Gail Hodes Living Trust Dtd 9/10/03 C/O Gail R Hodes Trustee 16872 Baruna Ln Huntington Beach, Ca 92649	10725-01573	12/7/2006	UNKNOWN	S, U
15	Gail Hodes Living Trust C/O Gail R Hodes Trustee 16872 Baruna Ln Huntington Beach, Ca 92649-3020	10725-00901	11/1/2006	UNKNOWN	S, U
16	Galloway, Ellyson J 7440 S Blackhawk St #12208 Englewood, Co 80112-4355	10725-02310	1/13/2007	\$91,948.00	S, U
17	Gary A. Thibault & Sandra C. Thibault 4525 Dawn Peak St. Las Vegas, NV 89129-3235	10725-00623	10/17/2006	Unknown	S
18	Gary Bonnema P.O. Box 8649 Horseshoe Bay, TX 78657	10725-00694	10/20/2006	\$50,516.67	S
19	Gary D. Ward Ira 26077 Charing Cross Rd. Valencia, CA 91355-2029	10725-00685	10/20/2006	\$75,000.00	S
20	Gary Hogan Ira H01Bd 9900 Wilbur May Pkwy Apt 1604 Reno, NV 89521-4016	10725-00426	10/4/2006	\$50,000.00	S
21	Gary L & Virginia L Mcdaniel 1991 Living Trust Dtd 5/1/91 C/O Gary L & Virginia L Mcdaniel Trustees 2101 Lookout Point Circle Las Vegas, NV 89117-5805	10725-00294	9/29/2006	\$100,000.00	S
22	Gasparro, Kelley N & Nicolas S 8919 Challis Hill Ln Charlotte, NC 28226-2687	10725-01681	12/11/2006	\$57,423.52	S

23	Gassiot IRA, Joan B C/O American Pension Services 11027 S State St Sandy, UT 84070	10725-00151	8/14/2006	\$56,000.00	S
24	Gates Family Trust Dtd 6/16/00 Elwyn G & Mildred Ann Gates Ttees 387 1/2 Ocean View Ave Encinitas, CA 92024-2625	10725-00336	9/28/2006	\$52,500.00	S
25	Gazella Teague Living Gazella Teague Ttee R Scott Palmer Watkinson Laird Rubenstein Baldwin & Burgess 101 E Broadway, Ste 200 Eugene, OR 97401	10725-00199	9/20/2006	\$105,787.67	S
26	Geiger, Robert & Ruth 1352 Mount Hood St Las Vegas, NV 89110-1916	10725-00329	9/28/2006	\$75,000.00	S
27	Geller, Robert 1849 Cherry Knolls St Henderson, Nv 89052	10725-00300	9/29/2006	Unknown	S
28	Gene Smith & Emily Smith Patricia Gunn 419 Shipley Dr Yerington, NV 89447-2632	10725-00584	10/13/2006	\$53,715.25	S
29	General Electric Capital Corporation DLA Piper Rudnick Gray Cary US LLP ATTN Alex Terras Esq. 203 N LaSalle St, Ste 1900 Chicago, IL 60611	10725-00022	5/25/2006	\$132.80	S
30	General Electric Capital Corporation DLA Piper Rudnick Gray Cary US LLP ATTN Alex Terras Esq. 203 N LaSalle St, Ste 1900 Chicago, IL 60611	10725-00023	5/25/2006	\$35,570.30	S
31	General Electric Capital Corporation DLA Piper Rudnick Gray Cary US LLP ATTN Alex Terras Esq. 203 N LaSalle St, Ste 1900 Chicago, IL 60611	10725-00024	5/25/2006	\$37,963.77	S
32	General Electric Capital Corporation DLA Piper Rudnick Gray Cary US LLP ATTN Alex Terras Esq. 203 N LaSalle St, Ste 1900 Chicago, IL 60611	10725-00025	5/25/2006	\$17,682.47	S

33	Gentle Bay 1997 Trust C/O Jacques M Massa Ttee 7 Paradise Valley Ct Henderson, NV 89052-6706	10725-02297	1/12/2007	\$250,000.00	S
34	George S & Natalie H Cohan Family Trust Dtd 4/3/03 C/O George S Cohan Trustee 2048 Foxfire Ct Henderson, NV 89012-2190	10725-00530	10/10/2006	\$200,000.00	S
35	Georges 1987 Trust Leonard J & Jean Georges Ttees 701 Rancho Cir Las Vegas, NV 89107-4619	10725-00998	11/6/2006	\$100,000.00	S
36	Georges 1987 Trust Leonard J & Jean Georges Ttees 701 Rancho Cir Las Vegas, NV 89107-4619	10725-00999	11/6/2006	\$200,000.00	S
37	Gerwin, Caroline 4775 Summit Ridge Dr Apt 1101 Reno, Nv 89523-7917	10725-00390	10/2/2006	\$25,000.00	S
38	Ggrm Pension Profit Sharing Plan C/O Gabriel A Martinez Ttee 601 S 9Th St Las Vegas, NV 89101-7012	10725-01186	11/10/2006	\$142,000.00	S
39	Giannetti, Ricardo 5295 Via Andalusia Yorba Linda, CA 92886	10725-01489	11/27/2006	\$45,788.99	S
40	Gilbert Jr, Elmer Eugene 81590 Chenel Rd Folsom, LA 70437	10725-01994	1/10/2007	\$227,620.28	S, U
41	Gilbert Manuel Living Trust Dtd 1/3/92 C/O Gilbert Manuel Ttee 4617 Constitution Ave Ne Albuquerque, NM 87110	10725-01914	1/10/2007	\$243,374.30	S, U
42	Gilbert, Lauren J & Erin M C/O Michele Gilbert Custodian 3331 S Park St Las Vegas, NV 89117-6722	10728-00062	10/6/2006	\$ 50,000.00	S
43	Gilbert, Lauren J C/O Michele Gilbert Custodian 3331 S Park St Las Vegas, NV 89117-6722	10728-00063	10/6/2006	\$ 25,000.00	S

44	Gish Family Trust Dtd 6/25/89 George J & Deanna K Gish Ttees 2104 Red Dawn Sky St Las Vegas, NV 89134-5538	10725-00387	10/2/2006	\$54,500.00	S, P, U
45	Gladstone-Katz Revocable Trust, Gale Gale Gladstone-Katz Trustee 1320 North St #29 Santa Rosa, CA 95404	10725-02277	1/12/2007	\$677,059.05	S, U
46	Glen & Carrie Donahue Living Trust Dtd 4/30/94 Glenn M & Carrie Donahue Ttee 39 Bridgeport Rd Newport Beach, CA 92657-1015	10725-00220	9/25/2006	\$1,908.08	S
47	Gloy, Tom Po Box 4497 Incline Village, NV 89450	10725-00066	11/2/2006	\$200,000.00	S
48	Godgrey, John A Pinnacle Entertainment Inc 3800 Howard Hughes Pkwy Ste 1800 Las Vegas, NV 89109-5921	10725-01034	11/6/2006	\$50,000.00	S
49	Goetsch, David 1616 Jones St Minden, Nv 89423	10725-01097	11/8/2006	Blank	S
50	Goforth, Phillip Darin & Francesca M 13301 Silver Peak Pl New Albuquerque, Nm 87111-8264	10728-00054	10/2/2006	\$50,000.00	S